

01-08-02

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01/04/02  
jc796 U.S. PTO

Practitioner's Docket No. 16644/09003CIP

PATENT

Preliminary Classification:  
Proposed Class:  
Subclass:

jc997 U.S. PTO  
10/039677  
01/04/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U. S. Patent & Trademark Office  
Commissioner for Patents  
Box Patent Application  
Post Office Box 2327  
Arlington, VA 22202

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Stephen Brian Falder; David Rawden

**CERTIFICATION UNDER 37 C.F.R. § § 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the U. S. Patent & Trademark Office, Commissioner for Patents, Box Patent Application, P. O. Box 2327, Arlington, VA 22202  
☐ with sufficient postage as first class mail.

<sup>37 CFR 1.8a</sup>  
K as "Express Mail Post Office to Addressee" Mailing Label  
No. ET710728557US.

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, 703 \_\_\_\_\_

*Deborah Anne Weiner*  
Signature

Date: January 4, 2002

Deborah Anne Weiner

Type or print name of person certifying

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

For (title): ANTI-MICROBIAL COMPOSITION

**1. Type of Application**

This transmittal is for a continuation-in-part (C-I-P) application.

**2. Benefit of Prior U.S. Application (35 U.S.C. Sections 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. application.

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

56 Page(s) of Specification

7 Page(s) of Claims

4 Sheet(s) of Drawing(s)--Informal

B. Other Papers Enclosed

1 Page(s) of abstract

13 Page(s) of Preliminary Amendment

**4. Declaration or Oath**

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. Section 1.41(c) on behalf of all of the above-named inventors.

**5. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**6. Language**

English

20101010-22965001

7. **Assignment**

An assignment of the invention to Byotrol LLC will follow.

8. **Certified Copy**

Certified copies of applications:

<u>Country</u>	<u>Application Number</u>	<u>Filed</u>
Great Britain	0100155.1	01/04/2001
United States	09/756,457	01/08/2001

from which priority is claimed will follow.

9. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$740.00
Total Claims (37 CFR 1.16(c))	59	- 20 =	39 x	\$18.00	\$702.00
Independent Claims (37 CFR 1.16(b))	5	- 3 =	2 x	\$84.00	\$168.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$280.00	\$0.00

Filing Fee Calculation \$

10. **Fee Payment Being Made at This Time**

Enclosed	
Filing Fee	\$1,610.00
<b>Total Fees Enclosed</b>	<b>\$1,610.00</b>

11. **Method of Payment of Fees**

Charge Account No. 50-1196 in the amount of \$1,610.00.

A duplicate of this transmittal is attached.

**12. Instructions as to Overpayment**

**Credit Account No. 50-1196.**

**13. Relate Back**

**A. 35 U.S.C. Sections 120, 121 and 365(c)**

**As set forth in the attached Preliminary Amendment, the specification is being amended by inserting, before the first line, the following sentence:**

**"This application is a continuation-in-part of copending application serial number 09/756,457 filed on January 8, 2001."**

**14. Relate Back--35 U.S.C. Section 119 Priority Claim for Prior Application**

**As set forth in the attached Preliminary Amendment, the specification is being amended by inserting, before the first line, the following sentence:**

**"This application claims priority under 35 U.S.C. Section 119 to Great Britain Application No. 0100155.1 filed on January 4, 2001."**

**15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

**a. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventors in this application are the same.**

Date: 1/4/02

Reg. No.: 35,561

Tel. No.: 864-250-2260

Customer No.: 16644/0900

  
Signature of Practitioner

Neil C. Jones

Nelson Mullins Riley & Scarborough, LLP

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Columbia, SC 29201

01/04/02  
Jc796 U.S. PTO

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 1610.00

## Complete if Known

Application Number Unknown  
Filing Date 01/04/2002  
First Named Inventor Falder et al.  
Examiner Name Unknown  
Group Art Unit  
Attorney Docket No. 16644/09003CIP

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50/1196  
Deposit Account Name Nelson Mullins Riley & Scarborough

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	740.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1)			(\$ ) 740.00

### 2. EXTRA CLAIM FEES

Total Claims 59 -20\*\* = 39 x Fee from below 18.00 = 702.00  
Independent Claims 5 -3\*\* = 2 x Fee Paid 84.00 = 168.00  
Multiple Dependent

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		

(\$ ) 870.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			
SUBTOTAL (3)			(\$ ) 0.00

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type) Neil C. Jones Registration No. 35,561 Telephone 864/250-2260  
Signature [Signature] (Attorney/Agent) Date 01/04/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Falder, Stephen Brian; Rawden, David  
Application No.: Unknown Group No.: Unknown  
Filed: 01/04/2002 Examiner: Unknown  
For: ANTI-MICROBIAL COMPOSITION

U. S. Patent & Trademark Office  
Commissioner for Patents  
Box Patent Applications  
Post Office Box 2327  
Arlington, VA 22202

EXPRESS MAIL CERTIFICATE

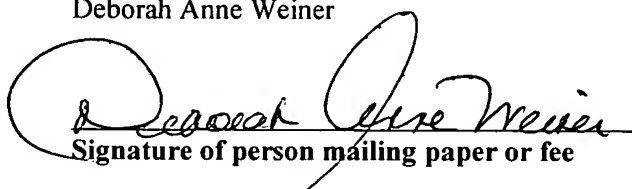
"Express Mail" label number ET710728557US  
Date of Deposit 01/04/2002

I hereby state that the following *attached* paper or fee

1. Express Mailing Transmittal Letter - ET710728557US (1 page).
2. Fee Transmittal (1 page).
3. New Application Transmittal (6 pages).
4. Application, including Abstract and Drawings (68 pages).
5. Preliminary Amendment (13 pages).
6. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the United States Patent & Trademark Office, Commissioner for Patents, Box Patent Applications, PO Box 2327 Arlington, VA 22202.

Deborah Anne Weiner

  
Signature of person mailing paper or fee